

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Art Unit: 2135

Kenneth L. Levy

Conf. No.: 2246

Application No.: 10/622,180

Filed: July 16, 2003

Via Electronic Filing

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Examiner: B. TO

Date: October 9, 2008

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Mail Stop Appeal Brief – Patents
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Response addresses the September 15, 2008 Notification of Non-Compliant Appeal Brief (statement of the status of the claims).

Please charge the fee required under 37 CFR 1.17(f) and any other fees needed to consider this Appeal Brief to our deposit account no. 50-1071.

STATUS OF CLAIMS

Claims 1-39 and 41-48 are pending in the present application. Each of the pending claims stands finally rejected.

Claims 1-39 and 41-48 are on appeal.

Claim 40 was previously canceled.

CONCLUSION AND REQUEST FOR REVERSAL

Appellant respectfully requests reversal of the final rejection of the pending claims.

Date: October 9, 2008

Respectfully submitted,

Customer No. 23735

DIGIMARC CORPORATION

Telephone: 503-469-4685

FAX: 503-469-4777

By: /Steven W. Stewart, Reg. No. 45,133/
Steven W. Stewart
Registration No. 45,133